

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UGOCHUKWU GOODLUCK
NWAUZOR, FERNANDO AGUIRRE-
URBINA, individually and on behalf of all
those similarly situated,

Plaintiffs,

v.

THE GEO GROUP, INC., a Florida
corporation,

Defendant.

No. 3:17-cv-05769-RJB

**STIPULATION AND
[PROPOSED] ORDER
REGARDING AMENDED
NOTICE PLAN AND CLASS
NOTICES**

NOTE ON MOTION CALENDAR:

JANUARY 27, 2020

Plaintiffs Ugochukwu Goodluck Nwauzor and Fernando Aguirre-Urbina and Defendant The GEO Group, Inc. (the Parties) respectfully and jointly move that the Court approve Plaintiffs' Amended Notice Plan and Class Notices. As grounds for this motion, the parties state:

1. The Court granted Plaintiffs' Motion for Class Certification on August 6, 2018, certifying a class of all civil immigration detainees who participated in the Voluntary Work Program at the Northwest Detention Center at any time between September 26, 2014, and the date of final judgment in this matter. Dkt. No. 114.

2. The Court approved Plaintiffs' Proposed Notice Plan on January 9, 2019, Dkt. No. 138, and Long Form Class Notice on February 5, 2019. Dkt. No. 142.

3. The Court granted in part and denied in part Plaintiffs' motion to amend the notice plan, directing Plaintiffs to "enhance" the proposed publication campaign among other things. Dkt. No. 241.

4. The parties have conferred and agreed to the plan identified below, as well as the form of the proposed Class Notices, including a radio script, press release, internet/social media banner ads, website, email to community organizations, and print advertisements.

THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

1. Plaintiffs shall distribute notice to the Class as follows:

- a. Administrator: JND Legal Administration will serve as the notice administrator (Administrator).
- b. Direct Mail to Class Members Still in Custody: Class Counsel shall serve the long-form notice (Dkt. No. 142) by first-class mail upon those Class Members that GEO has identified as still in custody at NWDC or other ICE facilities. Class Counsel will mail notice by January 30, 2020.
- c. Internet/Social Media Banner Ads: The Administrator will publish advertisements in English and Spanish on Google and Facebook that will be accessible both within the United States, including Alaska, Idaho, Montana, Oregon, Nevada, Arizona, California, and Washington State, as well abroad, including Mexico, El Salvador, Guatemala, and

1 Honduras. This dissemination is anticipated to generate a combined 28.3
2 million digital impressions inside and outside the U.S. These ads were
3 placed on January 24, 2020, for a period of 30 days.

4 d. Press Release: The Administrator will distribute a press release about the
5 class certification and notice process to 15,000 U.S., 4,000 Latin
6 American, and 250 Indian media outlets. The Administrator will
7 disseminate the press releases on February 4, 2020.

8 e. Print Advertisements: The Administrator will run a print advertisement
9 in Washington in Spanish-language newspapers *La Raza del Noroeste*
10 and *El Mundo*, which have a combined circulation of 40,000. The
11 Administrator will place the ads by February 6, 2020.

12 f. Radio Advertisements: The Administrator will air 140 radio
13 advertisements on Spanish-speaking news/talk/entertainment radio
14 stations in Mexico (Mexico City and Guadalajara), as well as El
15 Salvador, Guatemala, and Honduras.

16 g. Website: The Administrator will create a website containing the class
17 notice information in English and Spanish. The parties have conferred
18 about the form of the website and are in agreement. The Administrator
19 published the website on January 24, 2020.

20 h. Toll-Free Number: The Administrator will establish a toll-free number
21 with Interactive Voice Responses (IVR) and live operators fluent in
22
23

multiple dialects to provide class notice information. The Toll-Free number was activated on January 24, 2020.

i. Email: The Administrator will email notice information to various churches, relief organizations, and assistance groups that have frequent contact with immigrants requesting that they forward the long-form notice (Dkt. No. 142) to potential Class members. The Administrator will email notice by February 4, 2020.

2. The Publication Notices shall be in the form attached to this Stipulation as follows:

- a. Exhibit A: Radio Script
- b. Exhibit B: Press Release
- c. Exhibit C: Internet Banner Ads
- d. Exhibit D: Print Advertisements
- e. Exhibit E: Email to Community Organizations

3. This Notice Plan is sufficient and reasonably calculated, under the circumstances, to apprise interested parties of the pendency of this action and affords them an opportunity to present their objections.

4. Plaintiffs will distribute notice to the class as described above with the opt-out period ending on March 24, 2020.

5. The Administrator will generate an opt-out report to the parties within seven days of the March 24, 2020.

6. Within seven days of receiving the opt-out report from the Administrator, Plaintiffs will file a notice advising the Court of any opt-outs.

SO STIPULATED this 27th day of January, 2020.

AKERMAN LLP

SCHROETER GOLDMARK &
BENDER

s/ Adrienne Scheffey

s/ Jamal Whitehead

Colin L. Barnacle (Admitted *pro hac vice*)
Ashley E. Callhoun (Admitted *pro hac vice*)
Adrienne Scheffey (Admitted *pro hac vice*)
Allison N. Angel (Admitted *pro hac vice*)
1900 Sixteenth Street, Suite 1700
Denver, Colorado 80202
Tel: (303) 260-7712
Fax: (303) 260-7714
Colin.Barnacle@akerman.com
Ashley.Callhoun@akerman.com
Adrienne.Scheffey@akerman.com
Allison.Angel@akerman.com

Adam J. Berger, WSBA #20714
Lindsay L. Halm, WSBA #37141
Jamal N. Whitehead, WSBA #39818
810 Third Avenue, Suite 500
Seattle, WA 98104
Tel: (206) 622-8000
berger@sgb-law.com
halm@sgb-law.com
whitehead@sgb-law.com

THE LAW OFFICE OF
R. ANDREW FREE
R. Andrew Free (*Pro Hac Vice*)
P.O. Box 90568
Nashville, TN 37209
Tel: (844) 321-3221
andrew@immigrantcivilrights.com

III BRANCHES LAW, PLLC
Joan K. Mell, WSBA #21319
1019 Regents Boulevard, Suite 204
Fircrest, WA 98466
Tel: (253) 566-2510
joan@3brancheslaw.com

SUNBIRD LAW, PLLC
Devin T. Theriot-Orr, WSBA # 33995
1001 Fourth Avenue, Suite 3200
Seattle, WA 98154-1003
Tel: (206) 962-5052
devin@sunbird.law

Attorneys for Defendant

MENTER IMMIGRATION LAW,
PLLC
Meena Menter, WSBA # 31870
8201 – 164th Avenue NE, Suite 200
Redmond, WA 98052
Tel: (206) 419-7332
meena@meenamenter.com

Class Counsel

ORDER

Pursuant to the foregoing proposal, IT IS SO ORDERED.

DATED this _____ day of January, 2020.

ROBERT J. BRYAN
United States District Court Judge

PRESENTED BY:

SCHROETER GOLDMARK & BENDER

s/ Jamal Whitehead

Adam J. Berger, WSBA #20714
Lindsay L. Halm, WSBA #37141
Jamal Whitehead, WSBA #39818

Class Counsel

AKERMAN LLP

s/ Adrienne Scheffey

Colin L. Barnacle (Admitted *pro hac vice*)
Ashley E. Callhoun (Admitted *pro hac vice*)
Adrienne Scheffey (Admitted *pro hac vice*)
Allison N. Angel (Admitted *pro hac vice*)

Attorneys for Defendant